





Attorney Docket No.: 014940-002410US

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Assistant Commissioner for Patents

Washington, D.C. 20231

On 5/13/02

TOWNSEND and TOWNSEND and CREW LLP

HORACE H. NG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kent Ryhorchuk et al.

Application No.: 10/045,587

Filed: November 6, 2001

For: FAULT DETECTION AND ISOLATION IN AN OPTICAL

NETWORK

Examiner:

Unassigned

Art Unit:

2633

RESPONSE TO NOTICE TO FILE

MISSING PARTS

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated March 12, 2002,

Applicants hereby submit the following documents:

- (1) substitute specification and drawings; and
- (2) declaration

It is hereby stated that the substitute specification and drawings submitted herewith are a true copy of the application that was filed on November 6, 2001 and that, as such, they do not contain any new matter.

PATENT

Attorney Docket No.: 014940-002410US

Page 2

If a telephone conference would help expedite this matter, please telephone the undersigned at 415-576-0200.

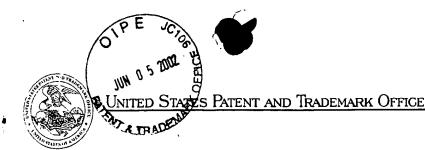
Respectfully submitted,

Horace H. Ng Reg. No. 39,315

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: (415) 576-0200 Fax: (415) 576-0300

HHN SF 1345960 v1





COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER -

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/045,587

11/06/2001

Kent Ryhorchuk

014940-002410US

Date Mailed: 03/12/2002

CONFIRMATION NO. 9311

FORMALITIES LETTER

OC000000007623344

20350 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all Feguired items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by Offiling a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$246.
 - \$162 for 9 total claims over 20.
 - \$84 for 1 independent claims over 3.
- · The oath or declaration is missing.
 - A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1116.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)
 - o Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and





white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 11,12,and 29 are not in compliance with 37 CFR 1.52(a). The drawings filed are unacceptable because:

Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

A copy of this notice MUST be returned with the reply.

Customer Service Center
Clinitial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

ΠIJ



COPY OF PAPERS ORIGINALLY FILED

T.D. # 8 Non Publication
PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box ->

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1	OF -		Application Number	10/045,587							
1	61PE TRANSMITT	AL	Filing Date	November 6, 2001							
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Y	A LEE		Examiner Name								
1	Total Number of Pages in This Subm	ission	Attorney Docket Number	014940-002410US							
		ENCLO	OSURES (check all that apply)								
	Fee Transmittal Form		ment Papers Application)	After Allowance Communication to Group							
	Fee Attached		g(s) (21 pages)	Appeal Communication to Board of Appeals and Interferences							
	Amendment / Response	1	ng-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)							
	After Final	and Ac	n Routing Slip (PTO/SB/69) companying Petition	Proprietary Information							
	Affidavits/declaration(s)		n to Convert to a onal Application	Status Letter							
	Extension of Time Request		of Attorney, Revocation e of Correspondence Address	Other Enclosure(s) (please identify below):							
	Express Abandonment Request		al Disclaimer st for Refund	Substitute Specification (35 pages); Return Postcard							
	Information Disclosure Statemer	nt 🔲 CD, Nu	imber of CD(s)								
	Certified Copy of Priority Document(s)	Remai	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.								
	Response to Missing Parts/ Incomplete Application		•								
	Response to Missing Parts under 37 CFR 1.52 or 1.53										
	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT										
•	Firm Townsend and Townsend and Crew LLP										
	and Individual name Horace H. No	Horace H. Ng Reg. No. 39,315									
	Signature	SHA									
	Date	5/13/02									
1		CEF	RTIFICATE OF MAILING								
	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:										
-	Typed or printed name Horace	H. Ng	/1								
(Signature	MA	ly	Date 5/13/02							

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Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17							920*	112	920*	Requesting publication of SIR prior to Examiner action	
Applicant claims small entity status. See 37 CFR 1.27						113	. 1,840°	113	1,840*	Requesting publication of SIR after Examiner action -	
2. 🛮 Pa	yment En	closed:				115	110	215	55	Extension for reply within first month	
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101 74			Utility filin	g fee	740	121	280	221	140	Request for oral hearing	1
106 33 107 51	-		Design fil Plant filin	•		138	1,510	138	1,510	Petition to institute a public use proceeding	
107 51			Reissue f	-		140	110	240	55	Petition to revive – unavoidable	
114 16				al filing fee		141	1,280	241	640	Petition to revive – unintentional	
		'				142	1,280	242	640	Utility issue fee (or reissue)	
		SUBTOTAL	. (1)		(\$)740	143	460	243	230	Design issue fee	
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Code 103	(\$)	Code 203	(\$)			ription excess of :	20		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
103	84	202	42			ent claims		ess of 3	179	740	279	370	Request for Continued Examination (RCE)	
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SUBMITTED BY			Cor	nplete (if applicable)
Name (Print/Type)	Horace H. Ng Registration No. (Attorney/Agent)	39,315	Telephone	415-576-0200
Signature	TAH-		Date	5/13/02

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